

Senate Bill 530

By: Senators Buckner of the 44th, Seay of the 34th and Ramsey, Sr. of the 43rd

A BILL TO BE ENTITLED
AN ACT

To amend Article 4 of Chapter 18 of Title 50 of the Official Code of Georgia Annotated, relating to public inspection of public records, so as to provide for relief and remedies in the case of harassing requests for public records; to provide for legislative findings; to provide that a request may be denied when fees have not been paid for a previous request; to provide for superior court actions for equitable relief; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 4 of Chapter 18 of Title 50 of the Official Code of Georgia Annotated, relating to public inspection of public records, is amended by adding a new Code section to read as follows:

"50-18-72.1.

(a) The General Assembly finds that while the provisions of this article serve an important and beneficial purpose in allowing citizens access to public records which should be made available to them, certain persons have misused the provisions of this article for purposes of harassment or other improper purposes.

(b) Where a person has previously requested copies of public records from an agency, has been properly informed by the agency of the fees to be charged under Code Section 50-18-71.2, and has then failed to pay the appropriate fees upon the copies being provided or made available, the agency may decline any subsequent request by the same person until the fees have been paid.

(c) Where a person has made repeated requests for records to the same agency and such requests by their number and nature are apparently intended for purposes of harassment rather than the legitimate obtaining of information, the agency may file in superior court a petition requesting equitable relief; and the court may after notice and opportunity for hearing enter an appropriate order relieving the agency from the requirement to respond

27 to requests of that individual, limiting the number or nature of requests by the person which
28 the agency shall be required to respond to, or otherwise affording appropriate relief."

29 **SECTION 2.**

30 This Act shall become effective upon its approval by the Governor or upon its becoming law
31 without such approval.

32 **SECTION 3.**

33 All laws and parts of laws in conflict with this Act are repealed.